

REMARKS

Claims 1-21 and 25 are the pending in the instant application, with claims 1, 20, and 21 being the independent claims. By this amendment, claim 1 has been amended. No new matter has been added.

The Examiner rejects claims 1-21 and 25 under 35 U.S.C. §103(a) as being unpatentable over Evans (U.S. Patent No. 4,645,491) in view of Houser (U.S. Patent No.5,569,221). This rejection is respectfully traversed.

Independent claim 1 recites that the stylet free-catheter includes a stiffening section located a “predetermined distance proximally of said catheter distal ... such that when catheter is disposed within said needle bore, said stiffening section is located adjacent said needle hub when said catheter distal end is adjacent said needle tip.” Further, the independent claim 1 recites that the “stiffening section reduces buckling of said catheter at the point of entry of said needle hub.” At least these features, in combination with the other features defined in claim 1, is not taught or suggested by Evans or Houser.

Example embodiments of these features are disclosed throughout the specification of the present application. For example, paragraph [0033] of the present application as published discloses that the stiffening section is disposed a predetermined distance proximally of the catheter distal end such that the stiffening section will approach the needle hub when the catheter distal end approaches the needle tip. As a result, the stiffening section enters the needle hub when the catheter distal end emerges from the

needle tip, and the stiffening section will act to reduce buckling of the catheter in and around the point of entry of the needle hub (see paragraph [0002]). The stiffening section is used instead of a stylet when inserting the catheter into a patient via a needle.

The Examiner recognizes that the primary reference Evans fails to teach these features, and therefore looks to the secondary reference Houser. Houser discloses a reinforcing sleeve 16 (or 20) used in connection with a catheter body 10. However, Houser teaches that benefit of the reinforcing sleeve 16 (or 20) is to provide for a stronger bond between two catheter segments 12 and 14 (or 32 and 34) of a catheter body 10 and to provide for improved flexibility of the catheter body 10 at the bond. In no way does Houser teach or suggest locating the stiffening section at a particular position proximally of the catheter distal end such that the stiffening section will be adjacent the needle hub when the catheter distal end is adjacent the needle tip, thereby causing the stiffening section to enter the needle hub when the catheter distal end emerges from the needle tip. Additionally, Houser does not teach or suggest a catheter in which the reinforcing sleeve is used in place of a stylet during insertion of the catheter to prevent buckling of the catheter around the point of entry of the needle hub.

For at least these reasons, Applicants submit that independent claim 1 is patentable over Evans and Houser. Accordingly, reconsideration and withdrawal of the rejection to independent claim 1 is respectfully requested.

Applicants submit that independent claims 20 and 21 are also patentable for the reasons stated above with respect to claim 1. Additionally, independent claims 20 and 21 require a “stiffening coating” or “sleeve”, respectively, provided over the stiffening

section which act to "reinforce the stiffening section." The Examiner points to the capture tube 22 in Houser to allegedly teach this feature. However, the capture tube 22 is only used as a mold when bonding/fusing together the catheter segments 12 and 14 (or 32 and 34) and is removed after the bonding/fusing has taken place. Thus, neither Evans nor Houser teach or suggest this feature. Accordingly, reconsideration and withdrawal of the rejection to independent claims 20 and 21 is respectfully requested.

CONCLUSION

In view of the above, reconsideration and favorable allowance of each of the claims in connection with the present application is earnestly solicited.

Should the Examiner have any questions or wish to discuss the application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

No fee is deemed necessary in connection with this Response. However, if any fee is required to maintain the pendency of the subject application, authorization is hereby given to withdraw the amount of any such fee from Deposit Account No. 01-1785.

Respectfully submitted,

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